

District IV Citizen Review Panel
707 N. Armstrong Pl, Boise, ID 83704
Tuesday, December 1st, 2020
4:00 pm – 6:00 pm

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Meeting Minutes

In attendance

Members: Allison Berkson, Brian McCauley, Nicole Noltensmeyer, Kym Nilsen, Darcie Bobrowski. Melissa Mezo and Shannon McCarthy is absent.

Staff: Misty Myatt (IDHW) Laura Smith and Courtney Boyce (CDH)

Guests: Miren Unsworth, Roxanne Printz, Lori Wolff (IDHW); Britney Journee (TRHS)

Call Meeting to Order

Brian McCauley, the District IV Citizen Review Panel Chair, called the meeting to order at 4:00pm. Quorum established.

Motion: Brian motioned to amend the agenda to include the discussion of the listening meeting scheduled with foster parents, from an e-mail the Panel received. Kym seconded. None opposed. The motion carries.

Motion: Kym motioned to approve the November meeting minutes as written. Nicole seconded. None opposed. The motion carries.

Meeting with IDHW Administration

Brian encouraged each member of IDHW to introduce themselves.

Lori Wolff is the Deputy Director at Idaho Department of Health and Welfare, working in Family and Community services, Child Welfare programs and IT. Lori shared that she has been in this role for just about three years, and is familiar with the legislation and momentum behind the Citizen Review Panels. Lori shared that the safety of children and family in the state of Idaho is a mutual priority between the IDHW and CRP. Lori shared that they have been implementing the first phase of a three-year project to transform The child welfare system in Idaho with the CCIS (Comprehensive Child Welfare Information System) system. Lori shared that they have integrated recommendations and feedback to heart from CRPs, foster parents, and other professionals in the system. Lori shared that Idaho is the first state to implement that system that allows them to receive enhanced funding to update the system. Many states are now looking at Idaho as a model given new era of child welfare technology.

Miren Unsworth is the Administrator of the Division of Family and Community Services for the Idaho Department of Health and Welfare. Her work includes fostercare, adoption, infant/toddler program, crisis and prevention, 211, Southwest Idaho Treatment Center, and meeting the needs of children with developmental disabilities. Miren shared that she was grateful for the opportunity to collaborate and that child welfare is her 'labor of love' as this is where she started her work a long time ago. Miren shared that she appreciated the opportunity to speak with the Panel and that they had a mutual view of best outcomes of Idaho children and their families.

Roxanne Printz is the Deputy Division Administrator at the Department of Health & Welfare for Child Protection. Roxanne shared that she was a foster parent to adoptive parent, and that being a foster parent taught her the most about child welfare. She has held leadership positions across the state. She started working for IDHW and is supervising program managers across the state. She said she is responsible for partnerships, collaboration, fiscal/legal liability and a team that analyzes policies, procedures, and legal requirements to ensure the best outcomes for children.

Brian discussed questions that the Panel has. He shared that the ultimate goal is to move away from legislation into open collaboration, where collectively they would not need to go through the process to legislatively change things, unless that is the best way to protect the system.

Valley County

Brian encouraged Kym to provide a brief information about Valley County. Kym lives in Donnelly, Idaho. Kym discussed how silent Valley County was in terms of child welfare cases. Through her investigations she has talked various child welfare partners and stakeholders to get an idea about the situation up there. Kym shared that she wanted to know the strengths of child protection system, and knowing what the institutional gaps are. Kym shared that after the Department of Health and Welfare had a permanent person living in Valley County, leave there, things began to fall apart as the safety net was dissolving. She said that people are concerned, and do what they think they should be doing but not having a set system of accountability and reporting processes. She said that she wants to stabilize avenues of communication, and that it is a serious concern that in Valley County they do not have any active cases. Misty Myatt that shared as of now, they do have a case and have seen an uptick in referrals since Kym's advocacy. The Panel only has access to cases open after 120 days, so they will not be able to access this case review if/when it stays open past 120 days. These rural community concerns also translate to other counties, namely Boise County and how the Panel was in the process of gathering information to provide recommendations.

IDHW representatives discussed the environment around reporting in the community since the presence of the Department is not there. They identified that this has a perceived lack of access to welfare, mental health programs, etc. That to improve the system they are looking at more assessments and collaborative feedback from schools. They also discussed how satellite offices including the Valley County representative, were closed during the recession, and how over time the visibility and engagement in the community was reduced due to not have ongoing presence.

Group Homes

Brian shared that the Panel reviewed a series of placements in their last round of case reviews that are all in group homes, inpatient treatment facilities. Brian shared that the Panel is interested in the treatment of these children, the criteria used to place children in these facilities, and the quality of group homes and treatment centers that children are going to. Brian discussed his personal experience as a volunteer of Provo Canyon, and to physical infrastructure that replicated a jail or correctional setting, including high fences and barbed wire. Brian was curious about placements to that facility, including whether or not they had to be convicted of a crime or what factors would facilitate a transfer to that facility.

IDHW shared that they evaluate the necessity of placement including clinical staffing, but this often done when children are a danger to their selves, a danger to others, or demonstrating severe behaviors including multiple high-risk situations, including but not limited to sex trafficking or running away. For a period of time

we may look at higher level of care in order to meet the safety needs of that child. They also discussed legislation where an independent assessor not involved with state agency or facility that determines if a higher level of care is necessary, with the court approving of those placements. They also shared that there are very specific treatment requirements to be a qualified residential treatment program, including but not limited to: they have to trauma informed care, medical and clinical staff, family participation and treatment, post-discharge aftercare for at least 6 months, and being licensed/accredited. The legislation that IDHW is proposing would bring the state into compliance regarding congregate care placements and having a statutory framework that allows for the court to be in compliance, including reviewing placement. This legislation is a heavy lift for facilities to meet that bar. The IDHW will be offering grants to them to make sure that they are meeting all of those requirements, including the accredited facility and the implementation of trauma-informed treatment programming. This will include working with the courts on the oversight of the congregate care placement.

Action Item: IDHW will provide a draft of this legislation to the District IV Citizen Review Panel, as requested by Brian McCauley, Panel Chair.

Miren provided a draft of this legislation to Courtney Boyce, public health district liaison to distribute to Panel members. This was completed on Tuesday, December 8th, 2020.

Brian asked if the Department anticipates this legislation is going to reduce the number of beds in congregate care facilities, and if so what does that mean? The Department responded that they are predicting that not all facilities will be up and running, but they would like a 'cushion period' to determine a reasonable period to be in compliance. They are looking at very specific wrap-around services whenever possible to keep children in less-restrictive environments while managing higher-level needs. They also discussed that PATHP was a previous contractor with the Department and they decided not to keep the contract. The Department is exploring a new statewide treatment provider including behavioral health system, which would provide respite and that level of care previously provided by PATH. Roxanne discussed process of placement, which includes the approval and fiscal budgeting for services. Discussed that contract unit is in place until children can be released from these higher level facilities, as there is equal buy in administration and case workers.

Referrals

Brian discussed how the Panel will see multiple referrals prior to coming into care when conducting case reviews. Brian asked how are those evaluated, is there a standardized process for addressing high number of referrals, and is there some way to prevent it getting that far? The discussion continued on multidisciplinary teams (MDTs) and the Department redesign. The IDHW identified that they are targeting safety components, process of factoring components into decision making and more comprehensive analysis of referrals and the process of managing those. It was discussed about what kind of process should the Department consider in order for IDHW to get an objective role, as it is not just the number but the depth of the issue and the content of the referrals. It could be that child that has multiple referrals they deserve a look, but every MDT is different. MDTs are typically composed of the prosecutor in charge, review of child welfare issues, law enforcement, CARES, and medical/behavioral professionals, all coming to the table review a case.

Allison asked for clarification and a brief conversation about endorsement on summons, including how/who/when that happens and is there a standard? The IDHW discussed there needed to be a declaration of imminent danger, however there is not a clear pathway but they can write a letter to the court and request a letter of removal. Miren discussed the process and methods of consideration, including specific questions about safety issues. The next step in that process would be looking at an order of removal, after staffing and addressing and endorsement of summons. Miren said she could send Allison the policy and practices regarding these areas. The discussion continued including if the Department has the information and supervision to make a safety decision in time, reviewed, and closed or moved on within 7 to 15 days. The Department discussed that if there is more work to be done, than they go out to do the work until they have an appropriate resolution. They also discussed the difficulty with chronic, low-grade

danger, and how they ask about different conditions in the home, with Centralized Consult providing them more information about our best, safety practices.

Action Item: The IDHW will send the Panel policies and practices regarding an endorsement on summons. Miren provided documentation titled 'Overview of Child and Family Services Safety Assessment Process' to Courtney Boyce, public health district liaison to distribute to Panel members. This was completed on Tuesday, December 8th, 2020.

Best Interest of the Child versus Reunification

Brian discussed the Panel's concern about removing a child for safety reasons, and then immediately shifting gears to reunification. Brian shared that law enforcement made the point in a previous CRP meeting that there are criminal court proceedings that the judge or Department is trying to reunify with the child on the child protection side while they are also moving forward with criminal proceedings. Brian discussed this is a problem adult individuals that experienced abuse, would not be expected to then visit with their perpetrator. Brian discussed the systemic conflict to determine best interest of the child and the mandate to reunify, and how can we satisfy both of those in a better way.

The Department shared that this is a good conversation to have system-wide. They also shared that there are variances across judicial regions, districts, etc. and within statutory frameworks there are provisions for aggravated circumstances, where we would pursue alternate plans for the child. The Department did a lot of joint training with GALS, public defenders, judges, prosecuting attorney, in managing safety issues. When they plan around safety issues, the best interest of the child is imbedded in their plans. It is a conversation worth having a higher level, and today they are without a direct solution, but it is a paradox around safety, best interest of the child, and perception around parental rights and what that means. At the end of the day we can make families stronger, safer, and reunified, but how to collectively approach the family as a whole with the safety of the child as key, is not lost in that process. The Department shared that they reunify 65-68% throughout a given year, and explore avenues of alternative permanency. Brian asked, is there is system in place that prevents criminal courts/proceedings from being made known from CP courts? The Department discussed that judges address the veil between cases, however whatever is going on in the CP case but public defenders do not want that to influence the criminal matter. If there is an issue, such as a no contact order or they need come into compliance, the prosecuting attorney makes us aware of that so communication is in place. It does impact timeline to reunification including resolving the no-contact order.

Allison asked, what is the hesitancy to dig into criminal records of birth parents, and take that into consideration when addressing the safety and permanency of the child? The Department answered that given the circumstances of the case, no contract orders can make sense and other times it can be detriment to the health of the child. It was shared that fundamentally there is a crux of communication on either side of the veil, where discussions and decisions require understanding for what is happening on both sides. They don't want to make children vulnerable, and it is better for parents to get ahead of the issues. It was stated that resolving criminal matters first can create delays for the children. With this answer, it was also shared that this is an issue the Departments needs to think about further, and will table to discuss with MDTs and get their feedback. It is a complicated factor to assess safety and the progression of the child welfare cases.

It was asked, if the case worker is under the same reporting guidelines as any other member of society in Idaho? The Department answered, yes. The Panel shared that in some of the issues that we have found, case workers withheld information from courts because it would delay the decision, or derail the advancement of the case. It was clearly stated, that these occurrences are is not a systemic issue, but a poor decision from an individual. It may be that there is conflict between observing child endangerment versus the progress of the cases. Who owns the responsibility of those safety referrals, is there room for how that is communicated to case workers? The Department shared that within the safety redesign it includes targeting timelines for ongoing safety assessments. It was shared that they preformed well upfront

in assessment, but not performed as well as the they would have liked for ongoing safety assessments, so cases are reviewed with the eye on safety, including next step. It was shared that in a case that occurred recently a worker was trying to respond in a foster home in addressing the safety issues, but that they were remiss in reporting it as it should have been. The Department identified that this needs to be reinforced as a training need. If caseworkers have a reportable maltreatment incident, they have to go through procedures in order to report. Allison shared that "I am working on defining exactly what the issue is - worker training failure, documentation definitions (substantiated vs unsubstantiated events), etc. I am SUPER excited about the changes and new knowledge you've been talking about tonight because I think it will address some of what I'm seeing."

Brian asked if that the Department would like to see legislation or legislative recommendations, as it would require coordination and collaboration between courts, law enforcement, and the Department. Brian asked, what is the best way to solve it so it is statutorily defined so this is problem resolved? The Department shared that they would like to have the Oversight Committee determine if that is a priority for legislation, as they could identify the players and bring individuals to the table, rather than having the Department start and lead those conversations. That being said, they would be happy to provide feedback. Brian shared that the idea would be a collaborative effort between all parties related to child welfare. Brian asked, does the Department have the willingness to address that with other players, and find common ground to get some momentum behind it? Lori said that they would be happy to get at the table for those conversations.

Allison or Charlie Hahn have recording from Judge Ellis in "Fostering Idaho Training and Support Groups" that may answer some of the questions brought up from the CRP. Allison will follow up with the group.

Action Item: Allison will follow up with the group on the recording of "Fostering Idaho Training and Support Groups" to see if that could be shared with the group.

Allison e-mailed the group on December 3rd, indicating that the recording was over two weeks old and no longer available. Notes that she took from the session were typed up and shared with the group.

Lori shared that it may be helpful for the CRP to have the Department join their meetings, once a quarter, to start sharing information including on their redesign, data, and inform the CRP of changes. This would also provide an opportunity to have feedback and answer questions. They also shared that they are working on changing the culture to review performance data and performance dashboard on a staff level, that would be state wide performance level for the metrics that we are looking at. Brian discussed the snapshot that the CRP proposed, including immediately visible data. Kym shared that the files that they are reviewing do not reflect the changes occurring on a statewide level.

The conversation with the IDHW Administration concluded at 5:33pm.

Executive Session: Case Reviews

Per Idaho §16-647 (d) the District IV Citizen Review Panel can enter into Executive Session, to discuss items, exempt from public disclosure, as outlined in §74-105. This agenda item was omitted by District IV Citizen Review Panel Chair Brian McCauley, due to lack of time.

Defined Role of CDH

This agenda item followed up from a conversation that occurred at the last meeting. Nicole shared that it can be delayed a few weeks, then she would be willing to take this project on by providing a defined role of the public health district liaison. This piece of the agenda brought up Idaho's Open Meeting Law. The key pieces as we understand it are: 2 or more people from the Panel that are meeting to direct a subcommittee, or actions that may be brought forth to the Panel including actions or motions, must be under Open Meeting Law. Laura shared that she is happy to dig deeper but that she has been on the phone with CDH's lawyer a few times this past month about Open Meeting Law for CRP and the Behavioral Health Board. Nicole will be collecting some information independently, and will share. It may be that this conversation is tabled until February 2021.

CRP Member Liaison

Brian discussed that the purpose of this nomination is to have a formal role from the CRP that acts as the liaison to IDHW. Brian discussed nominating Allison for that position given her role working with the Department. Brian asked if any Panel member feels differently. Hearing none, Brian motioned.

Motion: Brian motioned to appoint Allison Berkson as the CRP Liaison to Administration of IDHW. Nicole seconded. None opposed. The motion carries.

CRP Budget

Courtney reviewed the CRP budget document with the Panel, that shows the allotment that CDH receives in order to have staff support as a public health district liaison to the Panel. Courtney will be sharing the previous month's expenditures by updating the document with meeting minutes every month. This budget will be shared with Panel members for CDH transparency, in addition for the consideration of additional allowable expenditures, such as hiring out for an independent branding project.

Weekend Meeting

Brian shared that at this time it would be appropriate to table that meeting, and readdressing in the spring. Courtney discussed that independent CRP related meetings could be occurring outside of the general meeting hours, from the Executive Committee to schedule applicants. This process would be under Open Meeting Law.

Action Item: Courtney will send out a Doodle Pool to the Executive Committee to schedule applicant interviews.

This was completed with the next CRP meeting occurring December 30th. Public meeting notice and meeting link information is posted on the CDH website.

CRP Independent Branding

Brian will follow up with a contact to see if they would be willing to draft up a logo for the Panel. If they are not, the CRP will have funds through CDH to support branding.

Listening Session Related to Idaho's Foster Parent Training Program

This portion of the agenda was amended to be added per Brian, as listed in the meeting minutes.

Courtney forwarded an invitation to the Panel to participate in a listening session related to Idaho's Foster Parent Training program. Idaho's Child and Family Services Review identified the need for an evaluation of the training and support offered to Idaho's foster parents. In addition to recommendations for foster parent training in citizen panel reports, they would like to include a panel member from each region to participate in this evaluation process. They will complete an independent review of training curricula, distance learning models and training evaluation instruments to determine quality, effectiveness, opportunities for improvement and any additional recommendations.

Allison said that she would be able to participate and represent the group. There were discussions about Darcie Bobrowski also attending this training.

Motion: Brian appoint Darcie to attend that listening session as representative, and equal approval for Allison to attend. Kym seconded. None opposed. The motion carries.

The Panel discussed case reviews. Brian discussed what was within the Panel's ability to review, which includes cases older than 120 days. After some conversation, the Panel decided what to review which would include new 120 day old cases, and older cases. It was decided that the Panel would receive 3 cases each and expose themselves to what is occurring. Brian asked Darcie to follow up with the group and provide those case designations.

Next month's tentative agenda items include:

Officer Gomez Discussion – 45 minutes

Valley County Update

Listening Session

Bylaws Housekeeping (Open meeting law, conflict of interest, code of conduct, bylaw reviews)

Vote on Applicant

Independent Branding

Maybe: Updates to Defined Role of CDH

Adjourn

Brian McCauley, the District IV Citizen Review Panel Chair, called the adjourned the meeting at 6:06pm.

Meeting minutes prepared by Courtney Boyce.